

**COACHELLA VALLEY MOUNTAINS CONSERVANCY**  
**Regular Meeting – November 8, 2010, 3:00 PM**  
**73-710 Fred Waring Drive, Conference Room 115**  
**Palm Desert, CA 92260**

**Tele-conference location:**

State of California  
Resources Agency  
1416 Ninth St., Room 1305  
Sacramento, CA 95814

**AGENDA**

**1.0    Call to Order & Introductions**

**2.0    Approval of Minutes of July 12, 2010 meeting** (See Attachment 1)

**3.0    Public Comments on Items Not on the Agenda**

At this time any member of the public may address the Governing Board on any item not on the agenda. The Board cannot take action on an item not on the agenda, but it can place it on the agenda for a future meeting. For items on the agenda, there will be an opportunity to speak when that item is heard. The Chair may limit the time for each speaker. Any written material may be submitted to the person taking minutes.

**4.0    Closed Session – No matter is scheduled**

Pursuant to Government Code sections 11126 (a)(1), 11126 (e)(1) and 11126.3(a) the Board may hold a closed session to discuss and take possible action on personnel matters and or receive advice of counsel on pending or potential litigation. In addition, pursuant to Government Code section 11126 (c) 7 (A) the Board may meet in closed session with its negotiator prior to the purchase or sale of real property by or for the state body to give instructions to its negotiator regarding the price and terms of payment for the purchase or sale. Confidential memoranda related to these issues may be considered during such closed session discussions.

**5.0    Information Items**

Ethics training is required again this year. Please see Attachment 2 for details.

**6.0    Action items – public hearing** (If there is any member of the public who wishes to address the Governing Board before action is taken, testimony from the public should be taken prior to a vote.)

6.1    Resolution 2010-03 approving a local assistance grant to the Friends of the Desert Mountains for the acquisition of land on the alluvial fan of the Santa Rosa Mountains. (See Attachment 3.)

6.2    Adoption of 2011 meeting schedule. (See Attachment 4.)

**7.0    Reports**

7.1    Written reports from staff (See Attachment 5.)

7.2 Board Member comments and reports from Conservancy member agencies. This is an opportunity for any of the Governing Board Members to present a report on matters of interest regarding the agency he or she represents.

8.0 **Adjourn to the January 10, 2011 meeting (if the schedule in 6.2 above is approved)**

This agenda is available on our website at <http://www.cvmc.ca.gov>. Anyone with questions about any item on the agenda may contact the Conservancy at 73-710 Fred Waring Drive, Suite 205, Palm Desert, CA 92260. The phone number is (760) 776-5026.

## **ATTACHMENT 1 – November 8, 2010**

### **COACHELLA VALLEY MOUNTAINS CONSERVANCY REGULAR MEETING 73-710 Fred Waring Drive, Suite 115 Palm Desert, California July 12, 2010 - 3:00 p.m.**

#### **MINUTES**

##### **MEMBERS PRESENT:**

John Benoit, Riverside County Supervisor, District IV  
Cynthia Bryant, California Department of Finance  
Buford Crites, State Assembly Appointee  
John Donnelly, Wildlife Conservation Board  
Jim Foote, U.S. Forest Service (non-voting)  
Kristy Franklin, City of La Quinta  
John Kalish, Bureau of Land Management  
Patrick Kemp, Natural Resources Agency  
Eddy Konno, California Department of Fish and Game  
Paul Marchand, City of Cathedral City  
Gordon Moller, City of Rancho Mirage  
Al Muth, University of California  
Larry Spicer, City of Indian Wells  
Ellen Lloyd Trover, Senate Rules Committee Appointee–Vice-Chairwoman

##### **MEMBERS ABSENT:**

Karl Baker, City of Desert Hot Springs  
Kathy Dice, California State Parks  
Jim Ferguson, City of Palm Desert– *Chairman*  
Richard Milanovich, Agua Caliente Band of Cahuilla Indians  
Chris Mills, City of Palm Springs  
Curt Sauer, National Park Service  
Joan Taylor, Governor's Appointee

##### **STAFF PRESENT:**

Bill Havert, Executive Director  
Geary Hund, Associate Director  
Kerrie Godfrey, Staff Services Analyst

##### **OTHERS PRESENT:**

None

##### **VACANT POSITIONS:**

None

##### **1.0 Call to Order & Introductions**

The Vice-Chairwoman, Ellen Lloyd Trover, declared that a quorum with 11 members present at 3:05 pm.

##### **2.0 Approval of Minutes of January 11, 2010 meeting**

Vice-Chairwoman Trover asked if there were any additions or changes to the January 11, 2010 Minutes. There were none. A motion was made and seconded (Muth/Konno) to approve the Minutes as distributed. The motion was adopted by all members saying "Aye" in a unanimous vote.

**3.0 Public Comments on Items Not on the Agenda**

Vice-Chairwoman Trover asked if there were any comments on any items not on the agenda. There were none.

**4.0 Closed Session – No matter is scheduled**

Vice-Chairwoman Trover asked if there were any closed session items. There were none.

**5.0 Information items**

**5.1 Status of the Proposition 84 bond program.**

Bill Havert explained that the acquisitions program has been inactive for almost a year and a half because of the State bond freeze so he believes this is a good time to update the Board on where things stand at this point. In February CVMC was asked to identify new projects that we could undertake were there bonds to become available. Staff put together a list of potential projects and sent them up to State Parks and subsequently when the Spring Bond Sale took place there were funds that was approximately \$4.5 million allocated to CVMC for some of the projects that were put on that list. When staff received the info we were initially given the impression that we could reactivate the projects and move forward with spending the funds. So, staff did start exploring the possibilities of moving forward with some of the projects on the list and then we were informed that the projects that were submitted in February were apparently not sent forward to the State Treasurer's Office (STO) for approval. We presume at this point that the funds are appropriated, we just don't have the approval to spend the funds. Recently staff submitted an updated list to State Parks and we have been told that this list along with some other departments will collectively be sent to STO for approval. Staff is not sure how long this process will take but, we believe it will take STO a minimum of a month once they receive the list from State Parks. At this point we will assume that the projects will be approved and down the road we will then have the ability to expend the funds that were allocated in the Spring Sale. In the meantime staff will continue gingerly to consider potential other projects and be mindful that the final approval to expend the funds is not quite there yet.

Bill explained that in the past the way bond funds were appropriated was through our annual budget and CVMC could move forward and spend those funds by sending State Parks a request for disbursement of those funds when they were needed. At this point the dynamic has changed because the bond sales are a lot less certain than they were in the past. So now it has become a cash flow issue keeping in mind that the legislature may appropriate \$11.5 million to CVMC in the budget however, the actual bond sales may not provide that much cash so we have to be more mindful of managing the cash that becomes available through the bond sales and assume that more cash will not become available until we have expended the existing cash from last Spring and Fall bond sales.

Larry Spicer asked if this was simply a delay and not a question as to whether we will get the money. Bill answered that the voters passed the bond and we have roughly \$26 million left in Prop 84 and some miscellaneous Prop 12 and 40 funds. Its just a question now of how long it will take to sell the bonds to incrementally provide that amount of money.

Pat Kemp added that CVMC is not alone in the fact that funding has been slow and this has been real arduous process for both Resources and State Parks to get through with the State treasurer and he thinks that cash flow will eventually improve but, CVMC has to be very prudent about our cash and take care not to build up a lot of cash that you do not plan to spend immediately because STO is monitoring this also.

Bill added that right now it is a bit of a catch 22, we have the cash and would love to spend it but we do not have approval from the STO. Hopefully the approval will come shortly and we can start spending the cash from the sales on some projects.

Vice-Chairwoman Trover thanked Bill for the presentation and noted for the record that Buford Crites, Kristy Franklin and Paul Marchand arrived late and noted that we now have 14 members present at the meeting.

## **5.2 CVMC acquisition priorities**

Bill Havert explained that since it has been such a long time he thought it might be a good idea to refresh our memories about the CVMC acquisition priorities. Bill noted for the members on the telephone that the we are looking at a map of CVMC territory. On the map we have identified the priority acquisition areas that the Board approved 3 years ago. Essentially this map shows wildlife corridors as one of our key areas and one of them links the San Jacinto Santa Rosa Mountains with the San Bernardino Mountains, another is in the Whitewater Canyon and yet another links the Little San Bernardino Mountains and the Mecca Hills and Orocopia Mountains connecting with the Joshua Tree National Park. Switching to a second general category which has to do with protecting essential ecological processes that sustain the overall blow sand habitat; thousand palms, whitewater floodplain, fringe toed lizard preserve-willow hole, National Monument-upper Palm Canyon, the scenic corridor along Hwy 74 and the Santa Rosa Mountains Alluvial fans which includes the lake shore area by ancient Lake Cahuilla. These are various general goals that we have focusing on wildlife movement corridors and ecological processes and in the case of the mountains protecting scenic resources and supports habitat values in there as well. CVMC's mission is to protect resources of different sorts such as biological, cultural resources, scenic resources, recreational resources, so we have a multifaceted mission. Compare that with the Coachella Valley Conservation Commission and their sole mission is to protect biological resources. We have a lot of overlap with them but, sometimes our priorities differ a little from theirs. Bill asked if there were any questions or suggestions about how we may want to amend the acquisition priorities to be addressed as a future action item.

Larry Spicer noted in the legend the CVMSHCP area is identified in white; and asked if those identify the links that are drawn. Bill answered that this reference on the map is the MSHCP boundary. CVMC boundary and the MSHCP Boundary are the same.

## **6.0 Action Items - public hearing**

### **6.1 Resolution 2010-02 approving local assistance grant to the Friends of the Desert Mountains or an interagency agreement with the Wildlife Conservation Board to match other grant funds for acquisition of land on the alluvial fan of the Santa Rosa Mountains**

Bill Havert explained that this is the proposed grant to the Friends of the Desert Mountains who are actually exploring 2 full sections of land which became available for purchase in May. Two separate projects; the first is with BLM who appears to have funds available for the ½ section purchase and is interested in acquiring that property. For the remaining section and a half, it appears likely that the Friends will pursue a partnership acquisition using federal Section 6 Cooperative Endangered Species Conservation Fund

money would be available for the purchase; these funds do, however, require a 30% match so we are exploring several different funding sources for this and there may be an in-kind match that the Friends could provide. The Friends are in the process of considering their annual budget which is not completed yet so it is not clear if any funds may be available. This is really a backup for the Board to consider a grant to provide the matching funds for the Federal Section 6 grant funds. These would be highly leveraged funds on our part and obviously there are a number of contingencies involved as identified in the staff report. Not the least of which are the approval of our bond fund projects so we actually have the funds available to grant to the Friends. This project is expected to take several months yet to complete and the appraisal has just been completed and will be sent to the Department of Fish and Game (DFG). Wildlife Conservation Board (WCB) and will administer a subgrant to the Friends with the Federal Section 6 Grant Funds; which are federal funds that are administered by the State. WCB will send the appraisal to the Department of General Services (DGS) for review and then if the appraisal is approved, WCB may be able to add it to their August agenda for consideration of the subgrant. There is another possibility here; (DFG) determines in conjunction with the lands that they already manage in the Coachella Valley that they may want to take title to these lands then the Friends might possibly assign the right to purchase to DFG and drop out of the deal at this point and the State would take title at close of escrow. The matching funds requirement would remain and may still have to come from the Conservancy. Under this circumstance it would not be a grant to the Friends anymore, it would be an interagency agreement with WCB which acquires land on behalf of DFG. So there are different ways that this acquisition could work out but the point of having it on the agenda today is that we don't meet again until September and the WCB meeting is in August and in order for WCB to consider that there are matching funds available this is the contingency to show that these funds would be there.

John Donnelly noted that it is highly unlikely that this would make it to the WCB agenda in August because WCB has just been notified by DGS that they are not accepting any new appraisals for new projects because of the budget impasse and secondly the WCB agenda cutoff date is July 19, 2010.

Bill noted that he has been working with Jon Wilcox on this and he was going to try to get it through DGS expeditiously but, with the new information provided by John Donnelly, the Board may want to consider that even if this does not make WCB's August agenda it would most likely make it on the November agenda and depending on CVMC's overall situation we could come back to this in September. However, if circumstance arose and there was not other reason to have a September meeting then the Board might prefer to do this today and if the board approves this item there is no harm done.

Paul Marchand noted that it may take a few months for the legislature to approve the budget.

Bill concurred and noted that if this were the case we may actually lose the opportunity to acquire this land but, we can not determine this today so the best the Board can do is try to move this forward and if the deal does not go through then it would not be our fault. So the motion would be for the Board to approve a grant and/or interagency agreement depending on who will take title so CVMC funds would be available for the match of the Federal Section 6 grant funds.

John J. Benoit asked if there is an expiration date and Bill answered that it was January 31 and this should give us sufficient enough time to determine if this acquisition funding is going to work out.

Ellen Lloyd Trover asked how open the escrow was. Bill answered that the agreement the Friends came to with the land owners was for them to give us 150 days to see if they could get all the funding together to complete the deal. If it goes past this date they would have to go back to the landowner to extend that timeframe.

Vice-Chairwoman Trover asked for any additional discussion on the item and there was none. She asked for a motion to approve Resolution 2010-02. A motion was made and seconded (Benoit/Kalish) to adopt the resolution. The motion passed by unanimous vote.

#### **7.0 Reports**

Vice-Chairwoman Trover for any additional discussion since there was no additional discussion Vice-Chairwoman Trover called for an omnibus motion to receive and file written report item 7.1-7.2 A motion was made and seconded (Marchand/Benoit) to receive and file written report 7.1 and 7.2. The motion was adopted by all members saying "Aye" in a unanimous vote.

#### **8.0 Adjourn to the September 13, 2010 meeting.**

A motion was made and seconded (Marchand/Muth) to adjourn the meeting. The meeting was adjourned without objection at 3:30 p.m.

## ATTACHMENT 2 – November 8, 2010

### **Agenda Item 5.1** Ethics Training Reminder for State Employees, including CVMC Board Members

**Please note: the State ethics training requirement is not the same as the local jurisdiction requirements. So, if you have already completed ethics training through your city or county, etc., you will still need to complete the State ethics training. If you are a State or Federal Employee and have already completed the training with your department, please forward a copy of the completion certificate to the Conservancy.**

California law requires state officials to complete an ethics-training course every two years. For purposes of this law, Conservancy Governing Board Members are considered to be “state officials.” To help state officials meet this requirement, the Attorney General's Office and the Fair Political Practices Commission have developed ethics training courses. Each Board Member who is due to complete the required Ethics Training is required by law to do so by December 31, 2010. There are three alternatives available. One alternative is the online, interactive program, available at <http://caag.state.ca.us/ethics/index.htm>.

The second non-interactive program that can be downloaded to a CD or your computer hard drive.

The third alternative is to check out the paper copy of the ethics training course from the Conservancy office.

Once the Ethics Training has been completed, a certificate must be signed to that effect. A copy of the certificate is attached for your convenience. Once you have completed the training and signed the certificate, please mail, email or fax it to the Conservancy office at (760) 776-9698 by Friday, December 31, 2010.



***STATE OF CALIFORNIA***

\_\_\_\_\_  
(PRINT AGENCY NAME)

**ETHICS ORIENTATION COURSE**

**Certificate of Completion**

Name: \_\_\_\_\_  
Position: \_\_\_\_\_  
Date course completed: \_\_\_\_\_

My signature on this certificate signifies that I have completed in its entirety the interactive Internet Ethics Orientation Course prepared by the Fair Political Practices Commission and the Attorney General's Office. It further signifies that I have reviewed the materials on my Agency's Incompatible Activities Statement that were provided as a part of the training course.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## **ATTACHMENT 3 – November 8, 2010**

**Agenda Item 6.1** Resolution 2010-03 approving a local assistance grant to the Friends of the Desert Mountains for the acquisition of land on the alluvial fan of the Santa Rosa Mountains.

### **BACKGROUND**

Two sections of land became available for purchase in May. They are Sections 7 and 8, Township 8 South, Range 8 East, located south of Martinez Canyon and west of the community of Oasis on the lower slope and alluvial fan of the Santa Rosa Mountains. (See attached map.) This area, from Martinez Canyon south to the county line, which borders Anza Borrego Desert State Park, contains the only extensive undisturbed alluvial fan area of the Santa Rosa Mountains. The property provides essential habitat for the endangered Peninsular bighorn sheep, contains extensive desert dry wash woodland habitat, and relates to the larger Lake Cahuilla Shoreline conservation project, which involves protection of the remaining undisturbed areas of the lakebed and shoreline of ancient Lake Cahuilla and the associated cultural and natural resources. Previously, the Conservancy participated in a partnership with WCB and BLM to acquire 5,400 acres of this area in 2001 and 2002, and in recent years the Conservancy has made grants to the Friends of the Desert Mountains to acquire an additional 60 acres in this area. The acquisition of Sections 7 and 8 would be a significant step toward accomplishing the larger project goals.

At its July meeting, the Governing Board approved \$542,619 as matching funds for a federal Cooperative Endangered Species Conservation Fund grant to the Department of Fish and Game (DFG) towards the acquisition of the north half of Section 7 and all of Section 8. Use of that federal grant money for purchase of the property with the Conservancy funds as the required 30% match is on the Wildlife Conservation Board's (WCB) November agenda (WCB acquires land on behalf of DFG). DFG will take title and manage the property. The Friends, which entered into the original Purchase and Sale Agreement with the land owner, assigned the right to purchase to WCB as provided for in the Agreement. The Friends also intends to assign the right to purchase the south half of Section 7 to the Bureau of Land Management (BLM) because that portion of the property is in the Santa Rosa and San Jacinto Mountains National Monument. BLM, however, is experiencing delays in being able to take the necessary steps to complete its part of the transaction before the end of the year, a condition of the Purchase and Sale Agreement. As a result, the Friends has requested a grant from the Conservancy to enable the Friends to purchase the south half of Section 7 in case BLM cannot complete the transaction on time. Please note that a condition of the Purchase and Sale Agreement is that the land owner will only sell the entire two sections if both transactions (the 1.5 sections and the 0.5 sections) close escrow simultaneously before the end of 2010. Thus, not completing the purchase of the south half of Section 7 would negate WCB's ability to acquire the north half of Section 7 and all of Section 8.

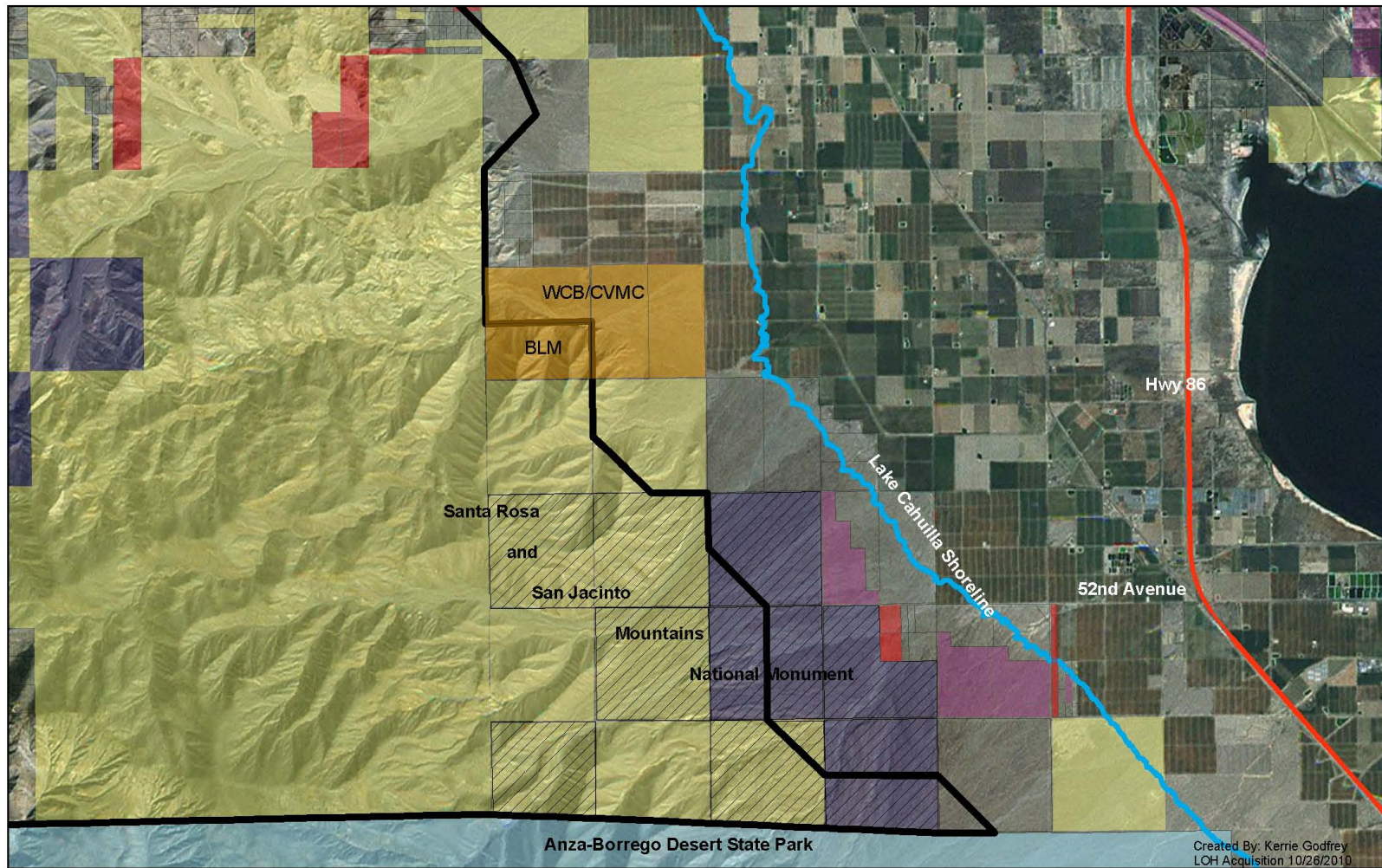
The purchase price for the south half of Section 7 is \$225,000. This is much less per acre than the purchase price of the property being purchased by WCB because the south half of Section 7 is mountainous while the land being purchased by WCB is flat, adjacent to existing agriculture, and accessible by road. The appraisal for the south half of Section 7 has been approved by the federal Office of Evaluation Services (the federal equivalent of the Department of General

Services). The estimated closing costs for the south half of Section 7 are a not to exceed amount of \$2,500; thus, the total grant amount requested by the Friends is a not to exceed amount of \$227,500. This grant is a contingency grant and the Conservancy will only disburse the funds if it becomes clear that BLM cannot complete the transaction in time. If Friends does purchase the property with these grant funds, it is likely that they will be able to complete a sale to BLM sometime thereafter and return the funds to the Conservancy. The funds would then be abated and available for future use by the Conservancy. It cannot be guaranteed that BLM will acquire the land, but there is a reasonable likelihood of it.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the attached Resolution 2010-03.

# LOH Acquisition



Created By: Kerrie Godfrey  
LOH Acquisition 10/26/2010



- |                         |                                 |                      |
|-------------------------|---------------------------------|----------------------|
| Lake Cahuilla Shoreline | Anza Borrego Desert State Park  | FODM                 |
| LOH Parcels             | Bureau of Land Management       | Private Landowners   |
| National Monument       | Coachella Valley Water District | WCB/CA Fish and Game |
| Su Hai Acquisition      |                                 |                      |

0 0.5 1 2 Miles



**RESOLUTION 2010-03 OF THE GOVERNING BOARD OF THE  
COACHELLA VALLEY MOUNTAINS CONSERVANCY  
ADOPTED IN REGULAR SESSION  
NOVEMBER 8, 2010**

**APPROVING A LOCAL ASSISTANCE GRANT TO THE FRIENDS OF THE  
DESERT MOUNTAINS FOR THE PURCHASE OF LAND ON THE ALLUVIAL  
FANS OF THE SOUTHERN SANTA ROSA MOUNTAINS**

WHEREAS, Public Resources Code Section 33501 created the Coachella Valley Mountains Conservancy for the purpose, among other things, of acquiring and holding, in perpetual open space, mountainous lands surrounding the Coachella Valley and natural community conservation lands, upon approval of a Natural Community Conservation Plan, for the protection of natural and cultural resources and the public's enjoyment thereof; and

WHEREAS, Public Resources Code Section 33601(e) provides that the Conservancy may "in order to further the conservancy's purposes as set forth in Section 33501, award grants to cities, counties, resource conservation districts, or nonprofit organizations...."; and

WHEREAS, the Friends of the Desert Mountains ("Friends") is a nonprofit organization qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, and has as its purpose the acquisition and protection of land in the Coachella Valley area; and

WHEREAS, Assessor's Parcel Number 755-060-007, comprising approximately 298.28 acres in unincorporated Riverside County in the Santa Rosa Wilderness area of the Santa Rosa and San Jacinto Mountains National Monument, contains important resource values including Peninsular bighorn sheep habitat and high quality desert dry wash woodlands, and an undisturbed area near the shoreline of ancient Lake Cahuilla; and

WHEREAS, it is in furtherance of the Conservancy's purposes as established in Public Resources Code Section 33501 to protect this area; and

WHEREAS, the Friends requests a local assistance grant to purchase this property if the Bureau of Land Management is going to be unable to complete the intended purchase before December 3 2010; and

WHEREAS, the maximum grant amount needed for the purchase price and closing costs for the purchase transaction is \$227,500; and

WHEREAS, this acquisition is exempt from further CEQA review pursuant to sections 15061 (b) (3), 15313, 15316, and 15325 of the Code of Regulations, Title 14;

NOW, THEREFORE, be it resolved in regular session of the Governing Board of the Coachella Valley Mountains Conservancy that the Board approves a local assistance grant not to exceed \$227,500 to the Friends to assist with the acquisition; and

BE IT FURTHER resolved, that a condition of the grant is that the Friends shall enter into an Acquisition Grant Agreement with the Conservancy, which shall contain provisions requiring the following:

1. That the Friends will agree to defend, indemnify, and hold harmless the Conservancy and the State of California, its contractors, officers, directors, agents or employees against any and all claims, liability, demands, damages, debts, judgments, costs, or expenses, including reasonable attorney's fees, arising out of or in any way connected to the Grantee's actions, omissions, or other conduct relating in any way to this agreement and the Real Property, including, but not limited to, any such losses, damages, or expenses arising out of (a) loss of or damage to the Real Property, and (b) injury to or death of persons;
2. That the Friends shall execute and record a Notice of Unrecorded Grant Agreement and execute a Memorandum of Understanding with the Conservancy designed to assure that the properties acquired with the grant sum shall be protected, maintained, and managed consistent with the Conservancy's mission as defined in Public Resources Code Section 33501;
3. That the Friends must return all funds not used for the acquisition purpose described above no later than December 31, 2011, unless both parties mutually agree in writing to an extension;
4. That the Friends shall not convey title or any other interest in the properties acquired with the grant sum to any other person or entity without the express written approval of the Conservancy;
5. That upon the sale or conveyance of any interest in the property acquired with the grant sum, the Friends shall reimburse the Conservancy for the full amount of the grant sum unless the funds received from the sale or conveyance are less than the amount of the grant sum, whereupon the Friends shall provide the Conservancy with all funds obtained from the sale or conveyance less costs incurred by the Friends arising from the sale or conveyance;
6. That if the Friends ceases to exist as an organization or if the Friends materially breaches the grant agreement, title to the properties acquired with the grant sum shall automatically be conveyed to the State of California upon approval by the State Public Works Board;
7. That the Friends shall maintain accounting records of how the grant sum was spent for a period of three years and shall make such records available for inspection by the Conservancy or the Department of Finance upon request by either agency;

8. That the Conservancy shall review and approve all documents pertaining to the acquisition of the properties described above, including but not limited to title reports obtained by Friends prior to acquisition of said properties; and
9. That any unused grant funds must be returned to the Coachella Valley Mountains Conservancy, along with any accrued interest, not later than one month after the project completion date. Should interest be earned on the grant funds between their disbursement and expenditure for the purchase of the property, the interest may be applied toward the purchase price. Otherwise, any such interest must be paid to the Coachella Valley Mountains Conservancy. No revenue will be generated by Grantee from the property acquired with the grant funds.

BE IT FURTHER resolved that the Board hereby authorizes its Chairperson, or in his absence the Executive Director, to execute any and all documents necessary to effect the grant.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Coachella Valley Mountains Conservancy Governing Board, held on this 8th day of November 2010, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Jim Ferguson, Chairman  
Coachella Valley Mountains Conservancy

## **ATTACHMENT 4 – November 8, 2010**

### **Agenda Item 6.2      Adoption of 2011 meeting schedule**

#### **BACKGROUND**

Traditionally the Conservancy Governing Board has met the second Monday of every other month. In 2009 and 2010, many meetings were cancelled because the freeze on bond funds caused a hiatus in our local assistance grant program for acquisitions. With the freeze on bond funds having been lifted and our acquisition program now resuming, it is likely that most if not all of the meetings proposed for 2011 will be needed. Assuming we continue to follow the traditional schedule, the proposed schedule of meetings for 2011 is:

January 10

March 14

May 9

July 11

September 12

November 14

#### **STAFF RECOMMENDATION**

Staff recommends that the Governing Board approve the above schedule or such other schedule as may be desired by the Governing Board.



## **ATTACHMENT 5 – November 8, 2010**

### **Agenda Item 7.1      Written Reports from Staff**

The state's furlough program has been terminated. The Executive Director has been notified that a Personal Leave Program will be initiated as of November 2 whereby 8 hours of mandatory personal leave will be credit each month in conjunction with a 4.62% reduction in pay. These hours must be used before annual leave hours. While as of the writing of this staff report no official directive has been received regarding the other staff positions, it is assumed that a comparable program for them will be announced soon.

Geary Hund is retiring from state service as of November 22. He is currently using up his leave balance and will not be returning to work. He has been presented with a Certificate of Appreciation prepared by Kerrie and signed by the Chair and the Executive Director. Because a hiring freeze is currently in effect, the vacancy will not be able to be filled until such time as the freeze has been lifted. An exemption from the freeze has been requested because the vacancy represents 1/3<sup>rd</sup> of our staff positions, reduces the Conservancy's ability to accomplish our mission, and reduces our ability to generate Reimbursement revenue, which constitutes a portion of our support budget (recognizing that the loss of revenue is offset by reduced salary expenditures). The exemption has not been granted.

A portion of Highway 74 in the National Monument was dedicated as the Roy S. Wilson Memorial Highway on October 25. The resolution dedicating the highway was co-authored by Assemblyman Brian Nestande and Senator Denise Ducheny and had been jointly requested by the Conservancy, the Friends of the Desert Mountains, and the Coachella Valley Association of Governments.

Conservancy staff has continued to assist the Coachella Valley Conservation Commission with its acquisition program in our capacity as its Acquisitions Manager. Since the Commission's initial acquisitions in 2009, Conservancy staff has facilitated the acquisition of 1,680 acres of land for the Commission with a total value of over \$16,300,000. The foregoing acquisitions have used over \$4 million of federal Section 6 Cooperative Endangered Species Conservation Fund and Environmental Enhancement Mitigation grant funds. Because of our success in expending the federal grant funds, CDFG and USFWS are preparing new Section 6 grant proposals to assist with implementing the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (CV MSHCP/NCCP). These grant proposals could exceed more than \$7 million.

Pursuant to a contract with the Coachella Valley Conservation Commission, Conservancy staff also continues preparation of Management Plans for the 6 units of the Reserve System established under the CV MSHCP/NCCP.

CVAG's OHV Enforcement Task Force Program is on hiatus until additional funding is received.